

REMARKS

The Examiner's action dated April 27, 2010, has been received, and its contents carefully noted.

In order to advance prosecution, original claims 1-35 have been replaced by new claims 36-66, which are based on the claims appearing in the annex to the International Preliminary Report on Patentability that were filed together with the application.

The new claims have been drafted to be free of the sources of indefiniteness noted in the action. Specifically, each of the newly submitted dependent claims is singly dependent and includes all of the subject matter of the claim from which it depends.

Accordingly, it is requested that the claim objection and the rejection under 35 USC 112 be reconsidered and withdrawn.

The rejection of claims under 35 USC 102, as anticipated by Bergens, presented in Section 6 of the action, is traversed for the reason that the newly submitted claims, and particularly new independent claim 36, clearly distinguish patentably over the disclosure of that reference.

In particular, Bergens discloses an autoinjector for replaceable containers of the syringe type, all embodiments of which include a drive spring that acts as a penetrating drive

and an injection drive and, in addition, a return spring to move the carrier in a rearward direction.

In contrast, as now defined in independent claim 36, the injection device according to the present invention includes an actuating element for converting the actuating work performed manually by the patient into a displacement of the syringe body during both an insertion stroke and a return stroke, and wherein the actuating work, by means of a single, targeted linear movement of the actuating element, is converted into the insertion stroke, the injection stroke and the return stroke in such a manner that the guide device and the ram are acted on jointly by the actuating element in the insertion stroke, and only the ram is acted on in the injection stroke.

As further defined in claim 36, a further carriage is provided in order to perform a return stroke of the syringe body. Such a further carriage is not found in Bergens.

In view of the foregoing, it is requested that the prior art rejections be reconsidered and withdrawn, that all of the pending claims be allowed and that the application be found in allowable condition.

If the above amendment should not now place the application in condition for allowance, the Examiner is

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invited to call undersigned counsel to resolve any remaining
issues.

Respectfully submitted,

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